

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

ALEXANDRIA DIVISION

UNITED STATES OF AMERICA ,

Plaintiff,

v.

JULIO R. SOTOMAYOR
(a/k/a “JACE SOTOMAYOR”; “J.R.
SOTOMAYOR”; “WIZARD”),

Defendant.

Criminal No. 1: 22-CR-00122 (RDA)

**JULIO R. SOTOMAYOR’S MOTION TO AMEND
TERMS AND CONDITIONS OF SUPERVISED RELEASE**

Defendant Julio R. Sotomayor (“Col. Sotomayor”), by and through undersigned counsel, respectfully moves the Court for an order amending the terms and conditions of his supervised release to permit him to accompany his wife to her medical appointments and to visit a local library one time each week for a period of up to two hours. The U.S. Probation Office has no objection to this request.

In support of this motion, Col. Sotomayor states the following:

1. On January 30, 2023, Col. Sotomayor pleaded guilty to one count of conspiracy to commit bribery and honest services wire fraud, in violation of 18 U.S.C. § 371. Dkt. 33. On August 30, 2023, the Court sentenced Col. Sotomayor to a term of imprisonment of 6 months, to be followed by three years of supervised release with the special condition that the first 24 months be served in home confinement. Dkt. 61.

2. Col. Sotomayor has completed the term of imprisonment ordered by the Court and has satisfied all of his restitution and forfeiture payment obligations. Following his release from prison, he has complied with all of the conditions of his release and supervision by the U.S. Probation Office.

3. Col. Sotomayor's wife suffers from serious and debilitating medical conditions that require ongoing evaluation and treatment and Col. Sotomayor respectfully moves the Court to permit him to attend and escort her to and from her medical appointments. More specifically:

a. Mrs. Sotomayor suffers from complications related to irritable bowel syndrome. She has intestinal tears and had mesh implant surgery which is now causing pain and other complications.

b. Mrs. Sotomayor also suffers from diverticulosis, which is an inflammatory condition that affects the large intestine (bowel) and is caused by inflamed pouches, called diverticula, in the colon's inner layers. She has a colonoscopy appointment scheduled for September 26 and an endoscopy is also being scheduled. Both procedures are day long procedures and require an escort home from the hospital once completed. Both of Mrs. Sotomayor's parents died from stomach cancer so her high risk status requires ongoing monitoring and evaluation.

c. In addition, Mrs. Sotomayor has cervical hernias and nerve damage and suffers from neck pain for which she has had prior surgical procedures and is currently undergoing treatment. She had spine surgery for lumbar and cervical herniation last year but is experiencing additional pain which requires periodic epidural injections to her spine. She is unable to drive herself home from these treatments and requires an escort home.

d. Mrs. Sotomayor's medical appointments presently occur, on average, about 2-3 times each month at Walter Reed Army Medical Center or at Alexander T. Augusta Military Medical Center at Fort Belvoir, and at other outpatient treatment and testing centers in the Alexandria, Virginia area as ordered by her treating physicians.

4. Col. Sotomayor also seeks permission to leave his home to visit one of two local libraries in Alexandria for up to 2 hours each week to conduct research, investigate potential work opportunities, and to borrow books that he can read while serving his home confinement. The two libraries he would like to visit are: (1) Alexandria Law Library, 520 King Street, Suite LL34, Alexandria, VA 22314 and (2) Kate Waller Barrett Branch Library, 717 Queen Street, Alexandria, VA 22314.

5. The undersigned counsel has discussed this request with Senior U.S. Probation Officer Kenneth Orsino, who is Col. Sotomayor's supervising probation officer, and he has no objection to and does not oppose this motion.

WHEREFORE, defendant Julio R. Sotomayor respectfully requests that the Court amend the terms and conditions of his supervised release to allow him to attend and escort his wife to her medical appointments and to allow him to visit one of the two local libraries each week for up to two hours each time. A Proposed Order is attached for the Court's consideration.

Dated: August 23, 2024

Respectfully submitted,

/s/ John J. Pease III

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Attorneys for Defendant Julio R. Sotomayor

CERTIFICATE OF SERVICE

I, Jonathan P. York, Esquire, hereby certify that, on August 23, 2024, I filed the foregoing with the Clerk of the Court and provided a true and correct courtesy copy of the foregoing to the following persons:

Edward P. Sullivan
Special AUSA & Senior Litigation Counsel
Heidi B. Gesch, AUSA
United States Attorney's Office
Justin W. Williams United States Attorney's Building
2100 Jamieson Avenue
Alexandria, VA 22314

Senior U.S. Probation Officer Kenneth Orsino
(via email to: Kenneth_Orsino@vaep.uscourts.gov)

/s/ Jonathan P. York
Jonathan P. York

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[PROPOSED] ORDER

Defendant Julio R. Sotomayor filed a motion to amend the terms and conditions of his supervised release to allow him to escort his wife to her medical appointments and to remain with her for the duration of those appointments, and to visit one of two libraries located in Alexandria, Virginia for up to two hours each week. Upon review of his motion, which the U.S. Probation Office does not oppose, and good cause having been shown therein,

IT IS HEREBY ORDERED that the defendant’s motion to amend the terms and conditions of his supervised release is **GRANTED**. The terms and conditions of the defendant’s supervised release are hereby amended as follows:

1. Defendant Sotomayor shall be permitted to escort his wife to and from her medical appointments and to remain with her for the duration of these appointments. Defendant shall provide advance notice to the U.S. Probation Office before each of these appointments and, upon request, shall provide proof of his attendance to the U.S. Probation Office in a form to be agreed upon with his supervising probation officer.

2. Defendant Sotomayor shall be permitted to leave his home each week for up to 2 hours on a date to be agreed upon by his supervising probation officer to visit either of the following libraries: (1) Alexandria Law Library, 520 King Street, Suite LL34, Alexandria, VA 22314 and (2) Kate Waller Barrett Branch Library, 717 Queen Street, Alexandria, VA 2234. Defendant shall provide advance notice to his supervising probation officer for each of these library visits and may be required to provide proof of his attendance in a form to be agreed upon with his probation officer.

SO ORDERED.

HONORABLE ROSSIE D. ALSTON, JR.